

Appl. No. 09/744,874
Amdt. dated March 10, 2004
Reply to Office Action of December 15, 2004

REMARKS

Reconsideration of this application, and the rejection of claims 1-5, 7, 10 and 11 are respectfully requested. Applicants have attempted to address every objection and ground for rejection in the Office Action dated December 15, 2004 (Paper No. 12092004), as well as the Advisory Action dated March 28, 2005 (Paper No. 03222005) and believe the application is now in condition for allowance. The claims have been amended to more clearly describe the present invention.

Claims 1-5 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fox (5,598,892) in view of Causey *et al.* (4,207,675). Fox requires a large, linearly moveable “U”-shaped member 70 to activate the trigger on a hand tool using a relatively cumbersome arrangement which appears predisposed to suffer from frictional binding, given the size of the “U”-shaped member 70 and the requirement that it slidably engage the bracket 66. Causey is merely cited for disclosing a slidable supplemental handle. Causey focuses on electronic rather than mechanical control over the tool.

In contrast, amended claim 1 includes features of canceled claims 7, 10 and 11, and as such has consolidated claimed subject matter already of record. Amended claim 1 recites, *inter alia*, wherein the trigger activator in the form of a handle lever controls the trigger lever to operate the trigger associated with the hand tool; wherein one end of a cable

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is connected to the handle lever such that pivoting of the handle lever causes the relative length of the cable to increase or decrease to control activation of the trigger associated with the hand tool; and wherein the other end of the cable is attached at its opposite end to the trigger lever which is pivoted via the relative shortening or lengthening of the cable, to control activation of the trigger associated with the hand tool.

Referring now to FIGs. 1 and 3 of the present invention, as amended, claim 1 recites the structure of two pivoting levers, the first being the trigger activator, which is a lever located near the hand grip and is grasped by the user to activate the hand tool. The second lever is a pivoting trigger lever which is connected to the tool's trigger, as is shown in FIG. 3. Movement of the handle lever by the user, by action of the recited cable, causes the trigger lever to control activation of the trigger of the hand tool. Neither Fox nor Causey, taken alone or in combination, disclose or suggest this structure. The Fox sliding U-shaped bracket apparatus, including the sliding member 70, is discussed above. In the Advisory Action, the Examiner reiterated that item 70 pivots. Applicants maintain the arguments asserted previously, and fails to see how, under any normal definition of "pivot" that the linearly reciprocating member 70 operates pivotally to actuate the trigger as now recited in the amended claims.

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Causey employs electronic connection and linearly sliding movement of a trigger actuator, which does not pivot. Accordingly, the rejection based on a combination of Fox and Causey is respectfully traversed.

Claims 10 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fox (5,598,892) in view of Causey *et al.* (4,207,675) in further view of Swiderski Jr. *et al.* (4,147,220). Claims 10 and 11 have been canceled and features thereof incorporated into claim 1. The arguments asserted above traversing the rejection based on Fox and Causey are reasserted here. Swiderski teaches the use of a lanyard rather than the trigger lever of the present invention.

As amended, claim 1 recites, *inter alia*, one end of a cable is connected to the handle lever such that pivoting of the handle lever causes the relative length of the cable to increase or decrease to control activation of the trigger associated with the hand tool, and the cable is attached at its opposite end to the trigger lever which is pivoted via the relative shortening or lengthening of the cable, to control activation of the trigger associated with the hand tool. Utilizing the trigger lever 50 over the various mechanisms employed by the cited prior art devices provides an operator with the advantages of a better and more realistic feel by more accurately imitating the actual squeeze feel of a person's finger on the trigger of the hand tool itself. As such, whether taken alone or in combination with Fox and Causey,

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Swiderski fails to disclose or suggest the structure recited in amended claim 1. Accordingly, the rejection based on Fox, Causey, and Swiderski is respectfully traversed.

Applicants submit that, in view of the above-identified amendments and remarks, the claims in their present form are patentably distinct over the art of record. Allowance of the rejected claims is respectfully requested. Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, she is invited to contact Applicants' undersigned attorney at the telephone number listed below.

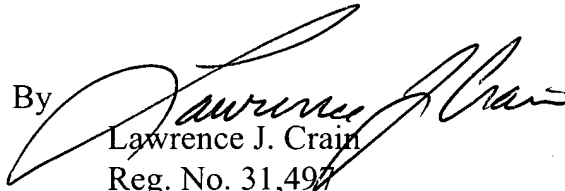
Respectfully submitted,

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